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# National Historic Preservation Act of 1966 16 U.S.C. 470

Bob Quigel  
Engineering & Environmental Staff  
Rural Utilities Service

# Introduction

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- ◆ Federal Agencies Integrate Historic Preservation Into All Activities Involving Land Use Activities
- ◆ Administered by National Park Service & Advisory Council on Historic Preservation
- ◆ Implemented Through State Historic Preservation Officers
- ◆ Section 106 Primary Concern

# Frequently Used Acronyms/Terms

- ◆ *SHPO-State Historic Preservation Officer*
- ◆ ACHP - Advisory Council on Historic Preservation
- ◆ Historic Property - District, Building, Structure, Site, or Object Eligible for Listing on the National Register of Historic Places

# Implementing Regulations for Section 106 (36 CFR 800)

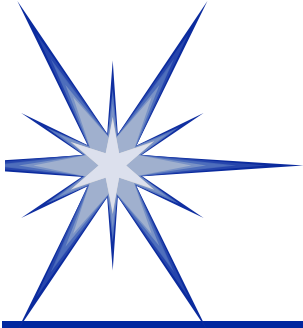
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- ◆ Identify & Evaluate Historic Properties
  - » Coordinate With SHPO
  - » May Need Consultant
- ◆ Determine Effect to Historic Properties
  - » Need Concurrence of the SHPO
  - » ACHP May be Involved in Dispute Resolution
- ◆ Develop Alternatives to Avoid or Mitigate Adverse Effects
  - » Memorandum of Agreement May be Necessary

## Related Laws

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- ◆ Archaeological & Historic Preservation Act of 1974
- ◆ Archaeological Resources Protection Act of 1979
- ◆ American Indian Religious Freedom Act of 1978
- ◆ Native American Graves Protection & Repatriation Act of 1990

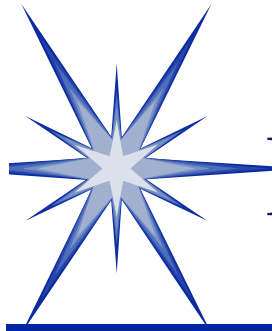


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# Coastal Zone Management Act

16 U.S.C. 1451 et seq.

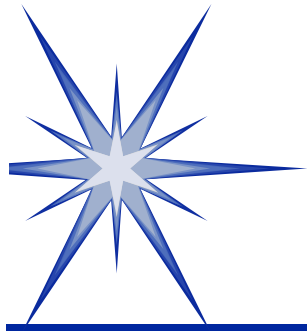
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# Introduction

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- Encourages Management of Coastal Zone Areas
- Provides Grants for Maintaining Coastal Zone Areas
- Ensures that Federal Activities are Consistent with State Coastal Zone Management Plan

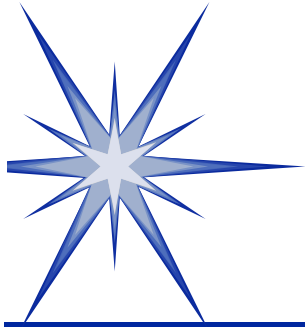


## Participating States

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- Total 26 States
- All States with Oceanic or Great Lakes Coastline Except Indiana & Minnesota
  - Georgia Inducted January 8, 1998
- Covers 97% of U.S. Coast





# Implementing Regulations

## 15 CFR 930 Subpart D

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- Identify Projects Affecting the Coastal Zone
- Activities Supported in Coastal Zone Mgt. Area Must be Consistent with Existing Program
- Federal Agency Must Prepare a Written Consistency Determination
- State Must Concur
  - If Not NOAA May Participate with Sec. Commerce as mediator

# Coastal Barrier Resources Act

16 U.S.C. 3501 *et al*

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# Introduction

- Administered by the Department of Interior Through the Fish & Wildlife Service
- To Protect Ecologically Sensitive Coastal Barriers on U.S. Coast
- Prohibits New Federal Expenditures & Financial Assistance in Designated Coastal Barrier Resource Areas

# Background

- Specific Areas Identified & Mapped
- Currently Limited to Atlantic Coast, Great Lakes, & Gulf of Mexico
- 1,271,395 Acres in the System
- 1,211 Total Miles
- There are 625 CBRS Maps

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# Environmental Justice

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# Authority & Implementing Regulations

- ◆ Executive Order 12898

- » February 11, 1994

- ◆ USDA Departmental Regulation 5600-2

- » December 15, 1997

# Definitions

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- ◆ **Environmental Justice** - Comment On, Share Benefits, Not Excluded, & Not Disproportionately Affected
- ◆ **Minority** - American Indian, Alaskan Native, Asian/Pacific Islander, Black, Not of Hispanic, Hispanic
- ◆ **Minority Populations** - Readily Identifiable Group of Minority in Same Geographic Proximity & Possibly Migrant Farm Workers

# Definitions

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- ◆ **Low-Income Populations** - Readily Identifiable  
Group of Low-Income Persons
- ◆ **Human Health &/or Environmental Effects** -  
Includes Interrelated Social & Economic Effects



# Goals

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- ◆ Incorporate EJ into USDA Programs
- ◆ Identify, Prevent &/or Mitigate Adverse Effects to Minority & Low-Income Populations
- ◆ Provide Opportunity for Minority & Low-Income Populations to Participate in Planning, Analysis, & Decisionmaking that Affects Health & Environment



**United States  
Department of  
Agriculture**

**RCAP / RUS**

**Environmental Training**

# Thresholds

# Environmental Reviews

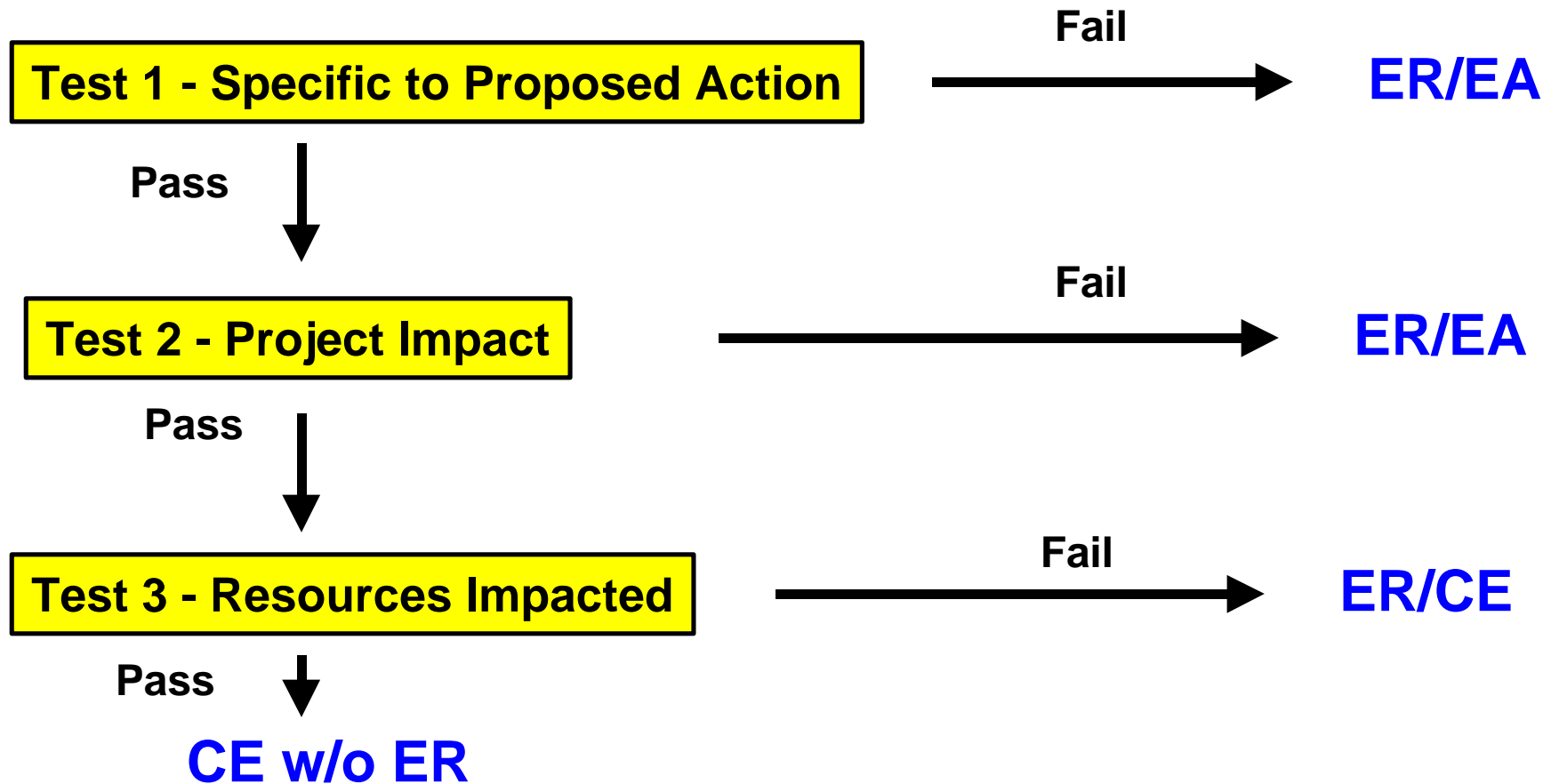
- ➡ Categorical Exclusion (**CE**)
- ➡ Environmental Report/Categorical Exclusion (**ER/CE**)
- ➡ Environmental Report/Environmental Assessment (**ER/EA**)
- ➡ Environmental Impact Statement (**EIS**)

# **Financial Assistance for Construction**

- 1. Rehabilitation of existing facilities or equipment**
- 2. New facilities adjacent to existing facilities**
- 3. Facilities improvement**
- 4. New facilities**
- 5. New water supply**
- 6. New or modified utility line**

# Determine Level of Environmental Review

For Each Proposed Action:



## Test 2 - Project Impact

1. New or relocate an existing discharge, OR
2. Increase discharge volume, OR
3. Pollutant loading, OR
4. 30% more capacity.

No



**Test 3  
Resources  
Impacted**

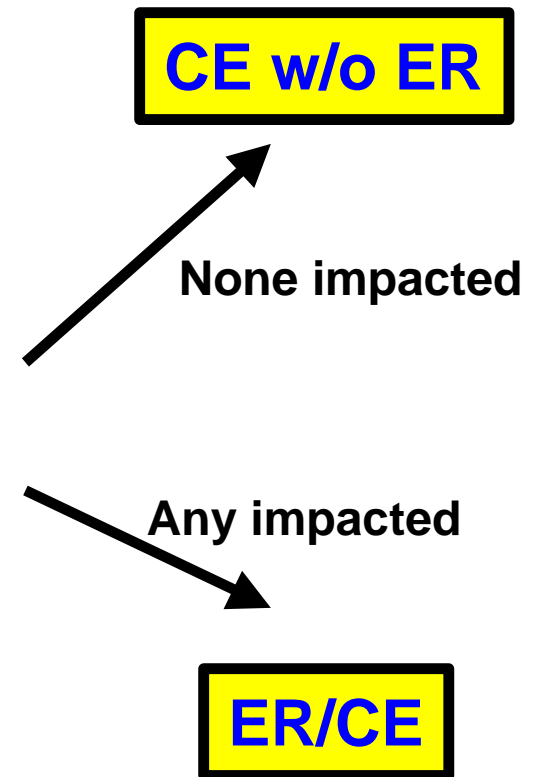
Yes



**Prepare ER/EA**

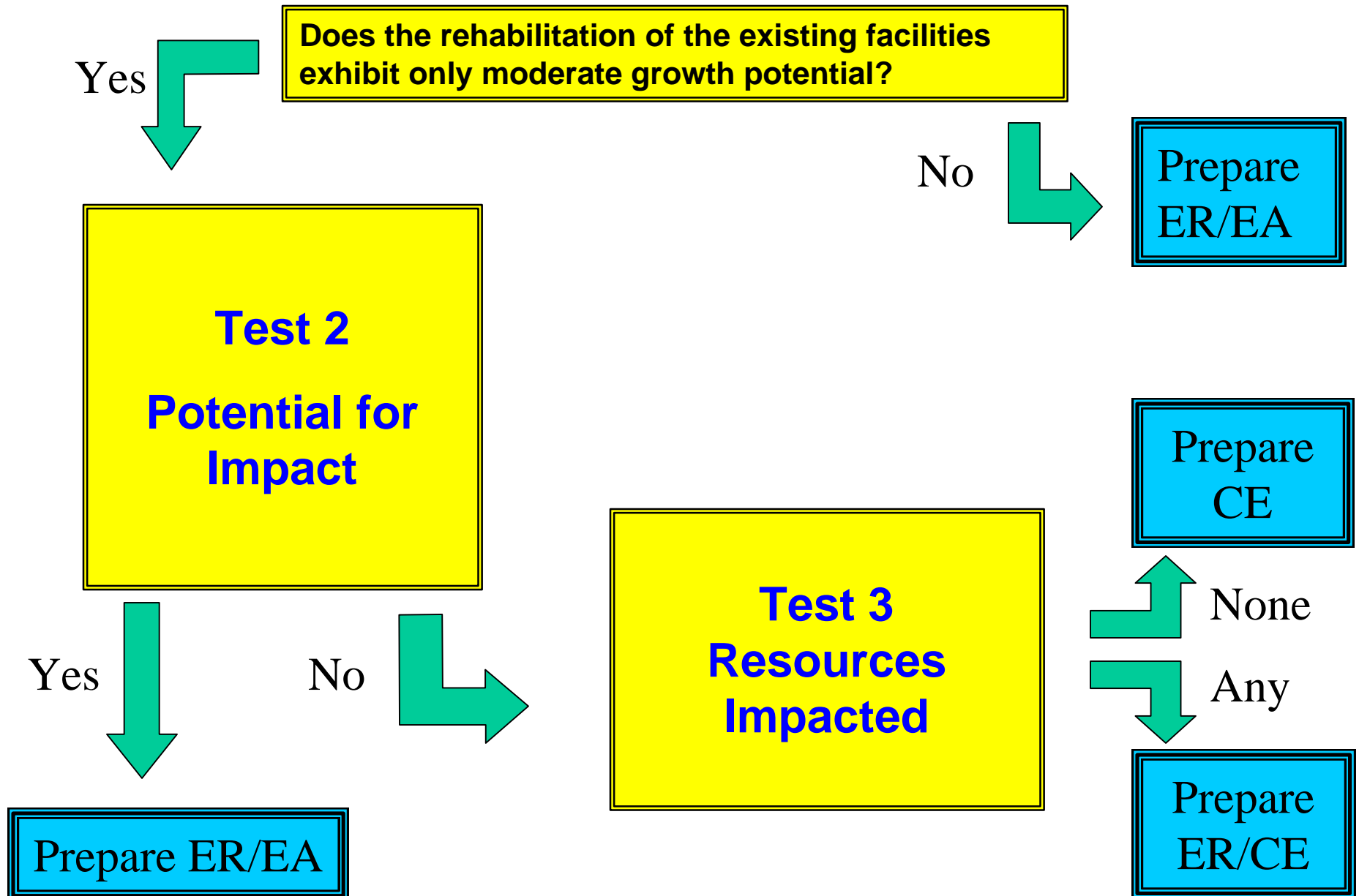
## Test 3 - Resources Impacted

- Threatened or endangered species
- Critical habitat
- Wetlands
- Floodplains
- Important farmland
- Coastal barriers, coastal zone
- Historic properties (listed or eligible)
- Prime forestlands
- Prime rangelands
- Wild and scenic rivers
- Sole source aquifer recharge areas
- Natural landmarks
- State or federal natural areas

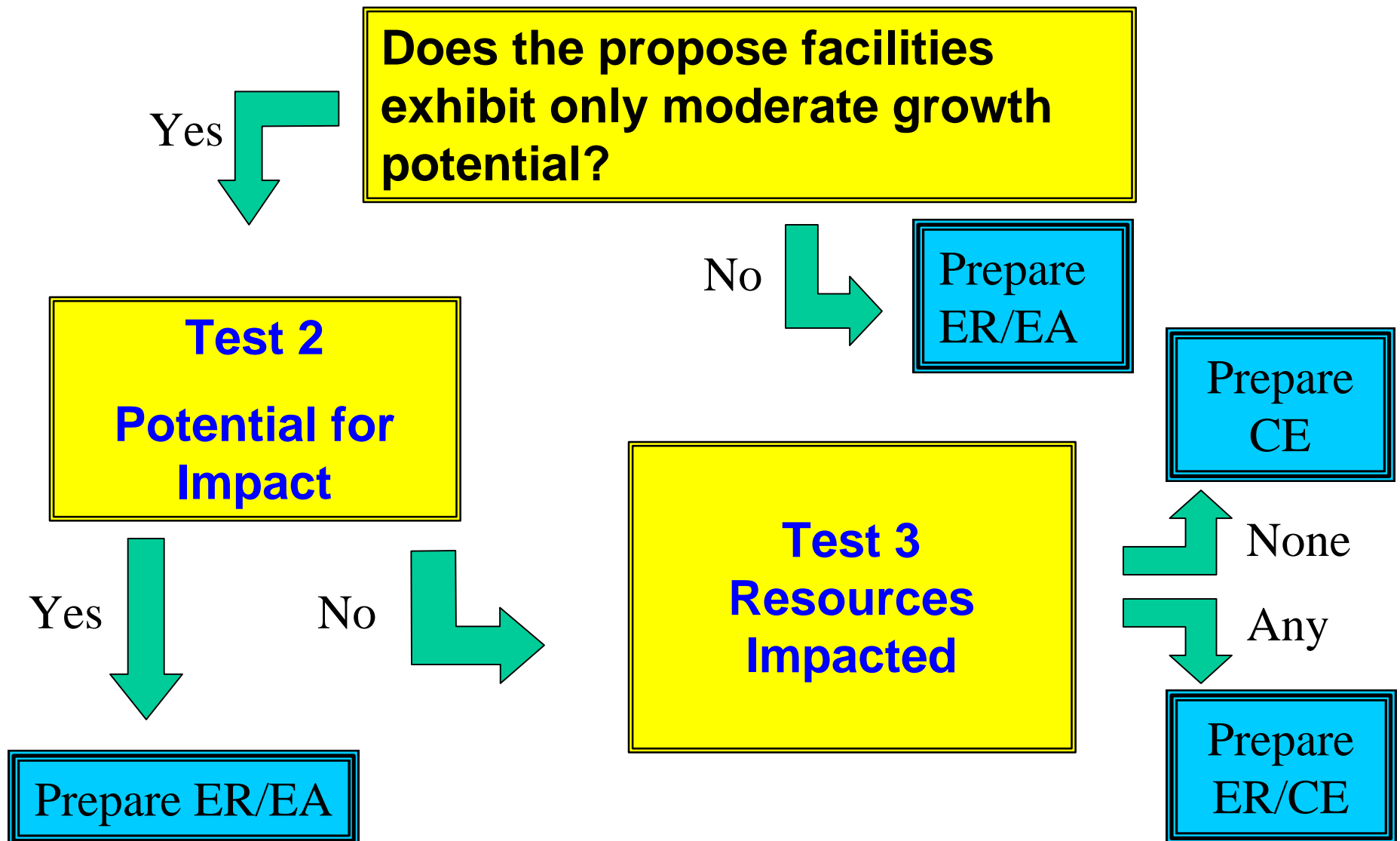




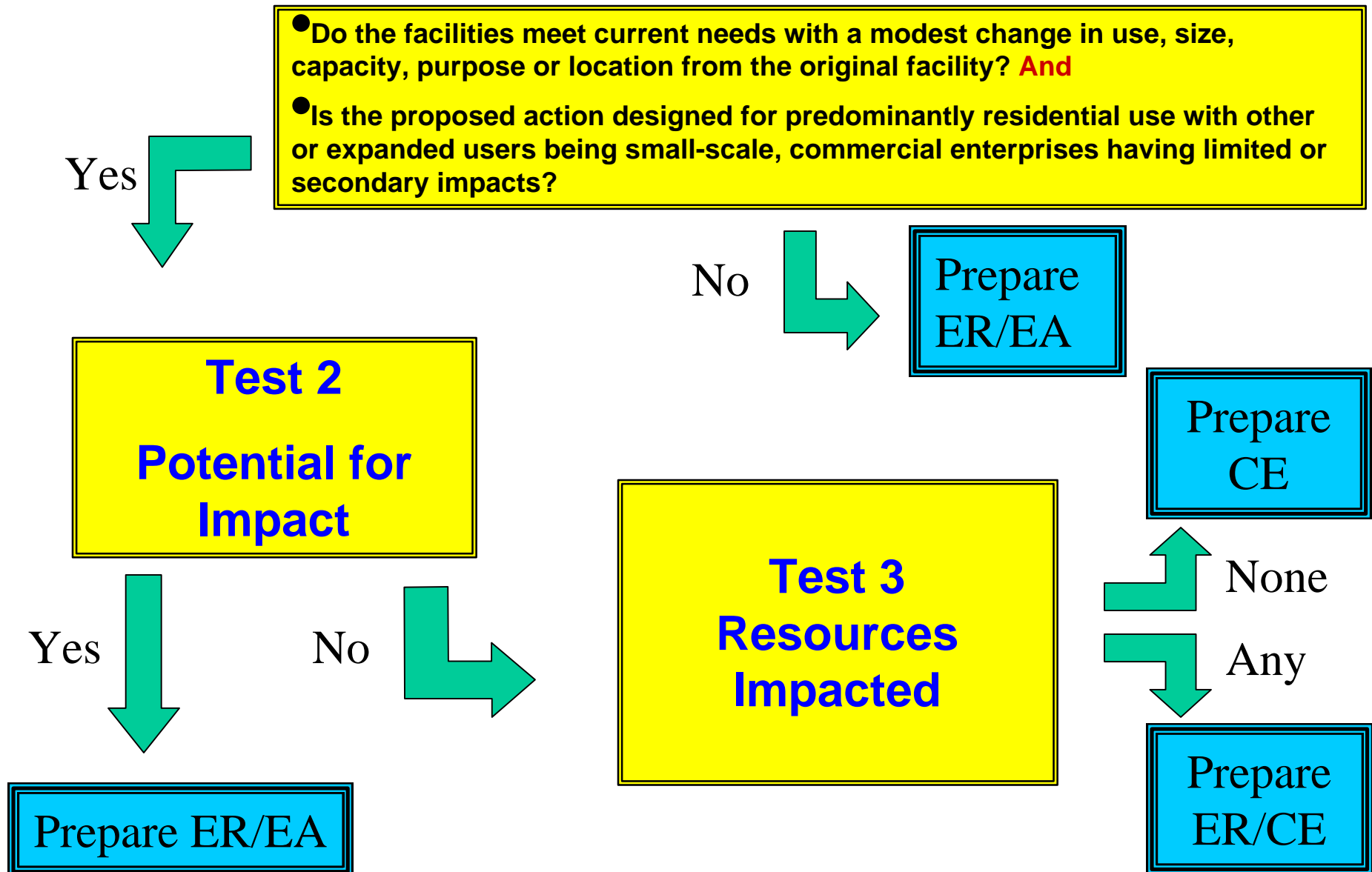
# 1. Rehabilitation of existing facilities or equipment



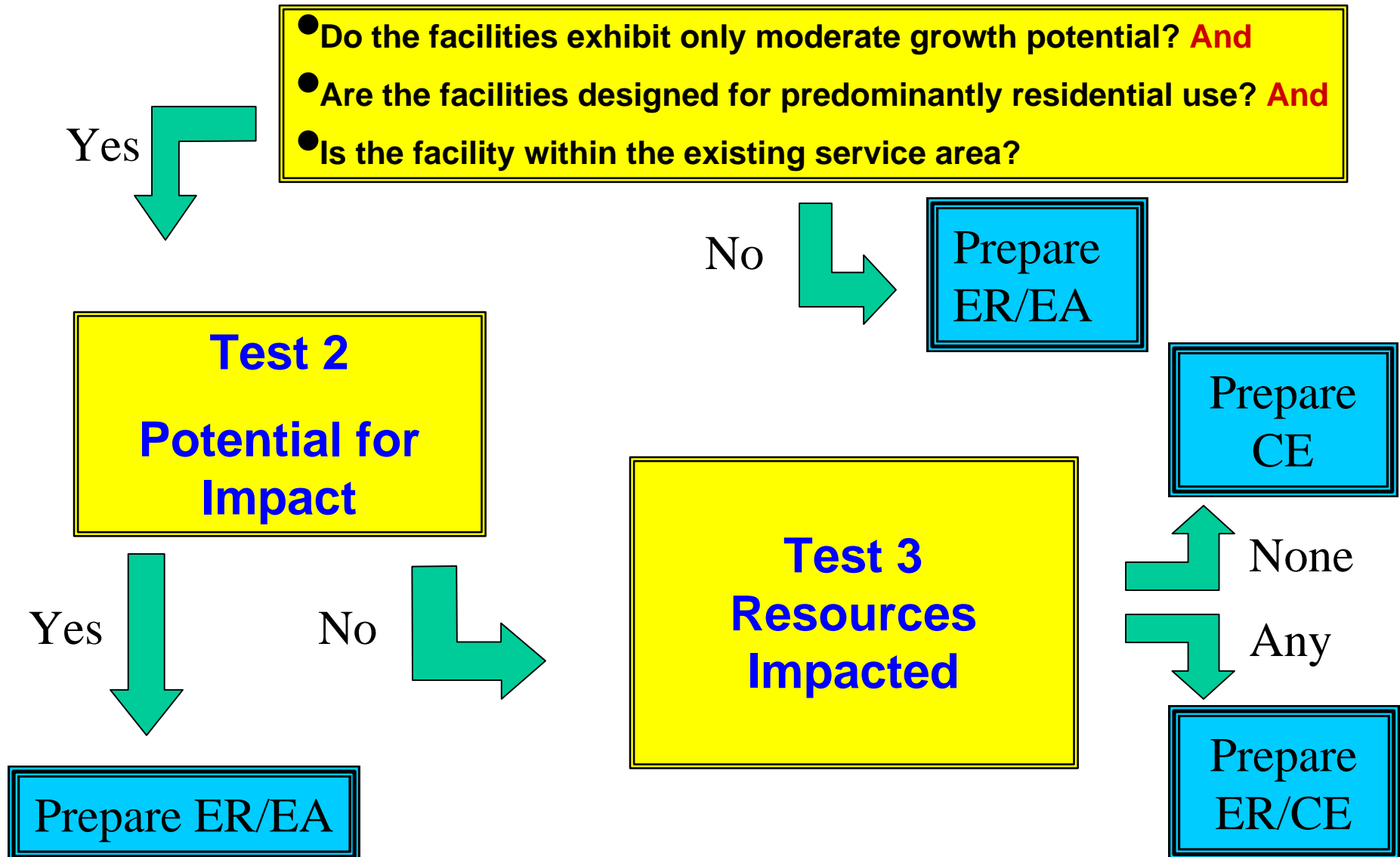
## 2. New Ancillary Facilities Adjacent to Existing Facilities



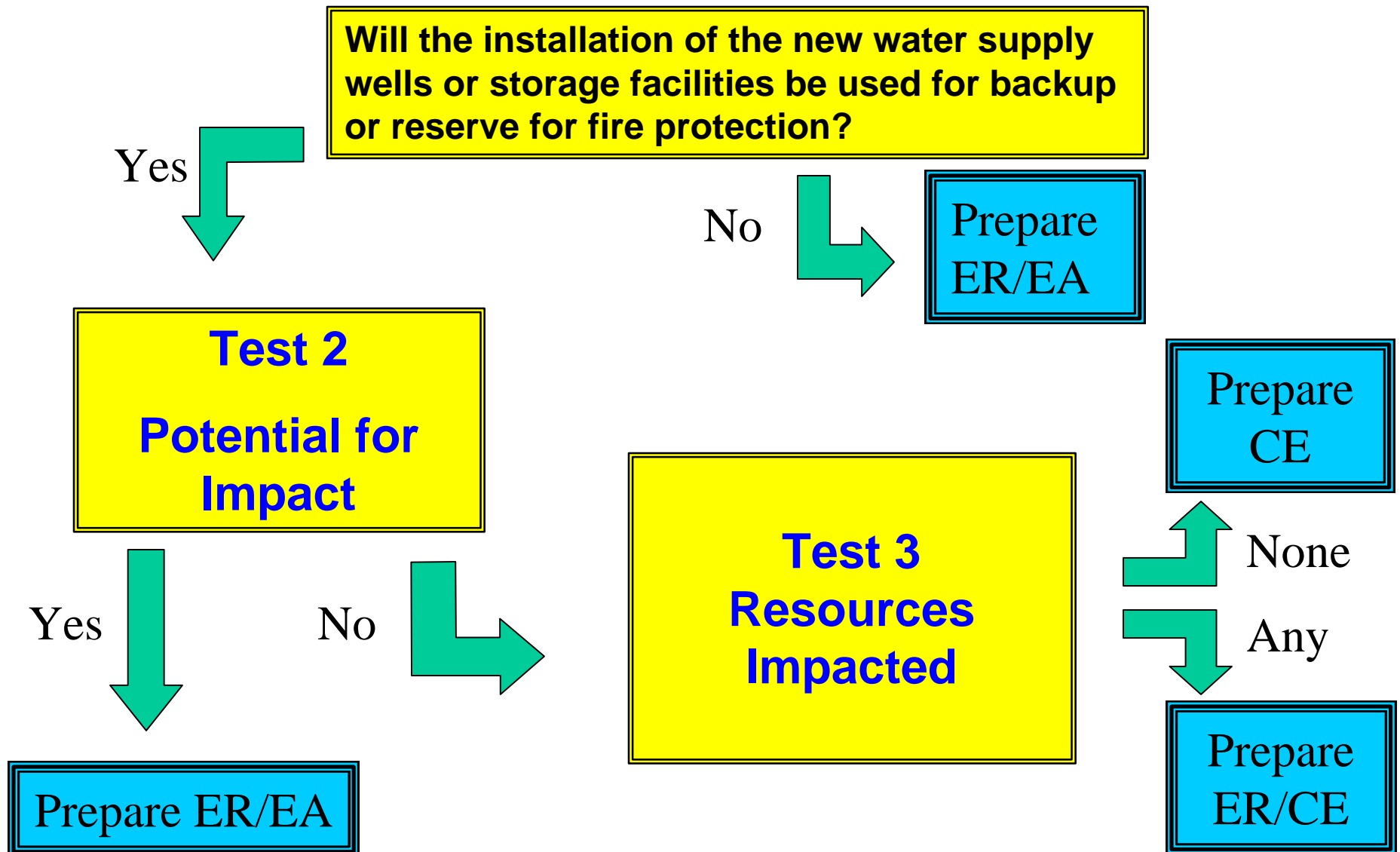
### 3. Facilities Improvement



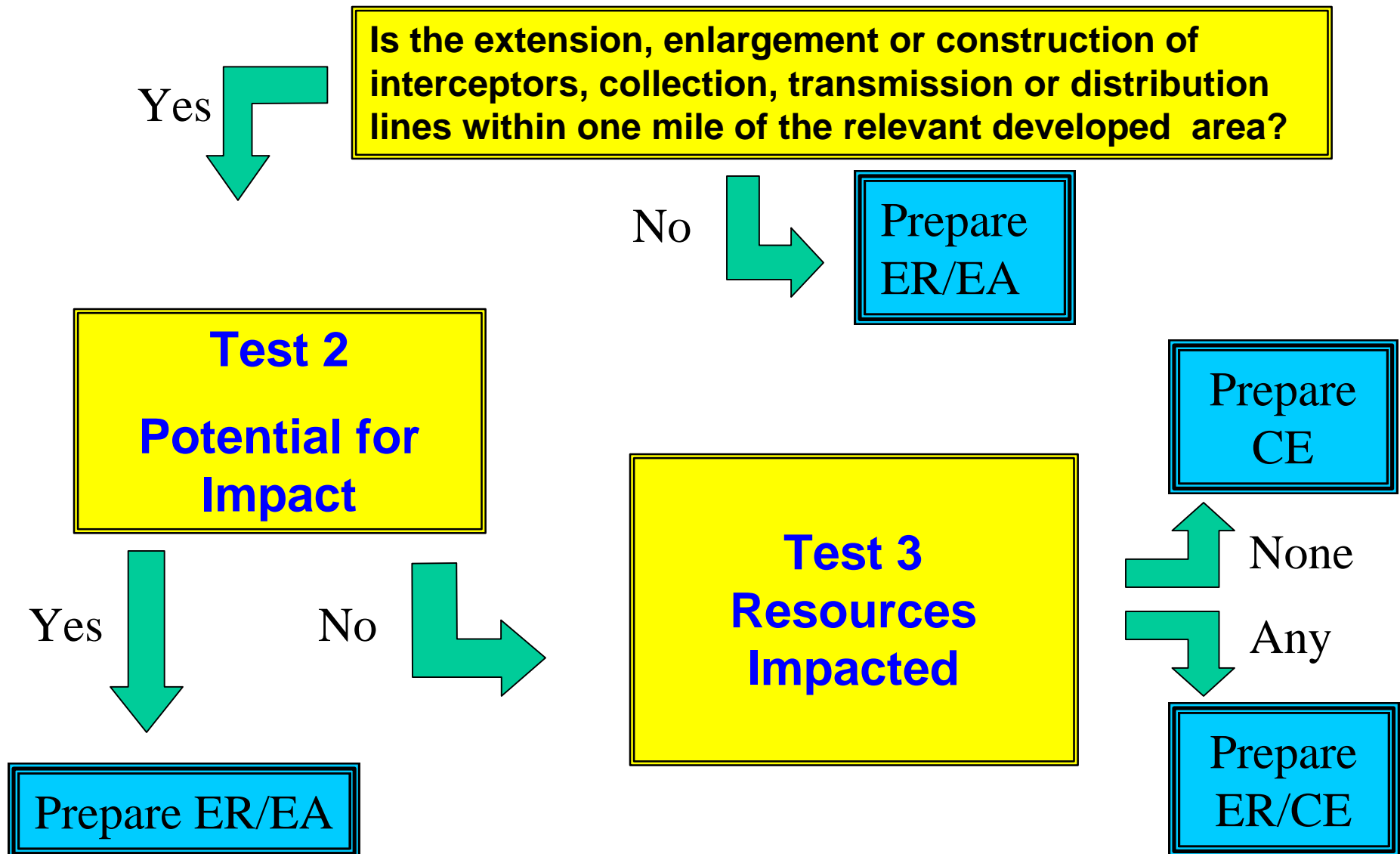
## 4. New Facilities



## 5. New Water Supply



## 6. New or Modified Utility Line



# **STATUTORY REQUIREMENTS**

**RUS RESPONSIBILITY**

**APPLICANT RESPONSIBILITY**

# Non-NEPA Issue Applicability

Non-NEPA Issues	Action	
	Federal	Non-Federal
Endangered Species	yes	yes
Wetlands	yes	yes
Historic Resources	yes	no
Land Use	yes	no
Floodplains	yes	no
Environmental Justice	yes	no



# **ENVIRONMENTAL REPORT FORMAT**

- PROJECT DESCRIPTION
- PROJECT NEED/JUSTIFICATION
- ALTERNATIVES
- AFFECTED ENVIRONMENT
- ENVIRONMENTAL IMPACTS
- MONITORING AND MITIGATION
- CORRESPONDENCE
- PUBLIC NOTICE

# **Environmental Report**

## **Project Description**

- **Detailed narrative**
- **Maps**
- **Photos**
- **Description of proposed facility**
- **Description of existing facility**

# **Environmental Report**

## **Need and Purpose for Project**

- **Health and safety**
- **Growth needs**
- **Comprehensive planning**
- **Consequences of No Action**

# **Environmental Report**

## **Agency Consultation**

- **Description adequate**
- **Project justified**
- **Discuss alternative**

# **Environmental Report**

## **Alternative**

- **Location**
- **Routes**
- **Other service methods**
- **Designs**

# **Environmental Report**

## **Affected Environment and Impacts**

- **Describe environmental resources**
- **Use maps**
- **Cite information sources**
- **Describe possible impacts**
- **Discuss mitigation measures**

# **Environmental Report**

## **Mitigation and Monitoring (See SEC)**

- **Summarize mitigation measures**
- **Identify practicable measures**
- **Describe monitoring methods**
- **Describe enforcement methods**
- **Recommendations**

# **Environmental Report**

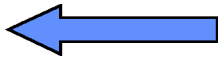
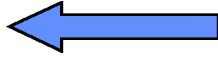
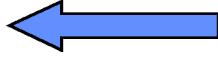
## **Correspondence**

- **Incoming and outgoing**
- **Record of public and other meetings**
- **Record of telephone calls**
- **Address issues raised**
- **Cross reference to other sections**



# Environmental Report

**RUS will determine**

- **Description adequate** 
- **Project justified** 
- **Alternatives considered**
- **Environmental resources identified**
- **Impact discussed**
- **Adequate mitigation** 
- **Supporting documentation adequate**

# **Environmental Report**

**RUS will**

- **Make determination on mitigation**
- **Accept ER as a draft EA**
- **Establish public notice requirement**

# Process

# Timing

- **ER submitted with application**
- **Agency accepts ER for its EA**
- **Draft EA - 30 day public comment period**
- **Agency's Finding of no Significant Impact (FONSI)  
May require 15 day comment period**
- **Agency takes Federal action - obligates funds**

# Public Notices

## **Purpose:**

**Announce availability for public review and comment.**

## **Draft EA**

- **Legal notice and advertisement**
- **General circulation newspaper**
- **Example - Exhibit C**
- **Floodplain / Wetland insert**
- **30 day review/comment period**

# **Public Notices**

## **FONSI**

**No comments on Draft EA - No public notice**

**Comments received - Public notice**

- **Legal notice and advertisement**
- **General circulation newspaper**
- **Example - Exhibit C**
- **15 day review/comment period**

**Joint with other Federal agencies**

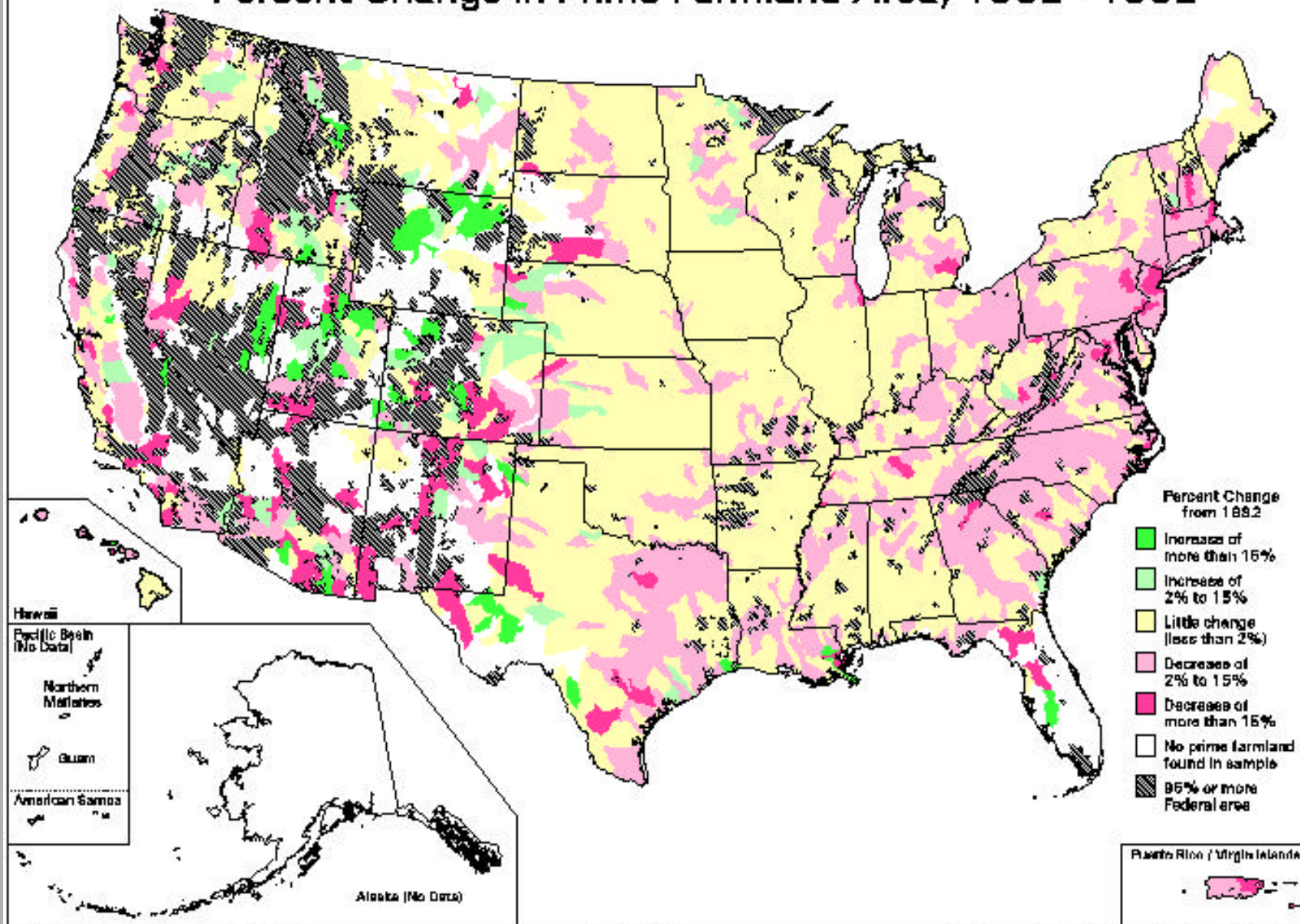
# Public Notices

- **Editions - consult with SEC**
- **Submit copies of notices/advertisements**  
Affidavit of publication - optional
- **Other media**
- **Individual notices to land owners**
- **Notices posted in public areas**

# Important Farmland



# Percent Change in Prime Farmland Area, 1982 - 1992



U.S. Department of Agriculture  
Natural Resources Conservation Service  
Resource Assessment and Strategic Planning Division  
Washington DC November 1997

Map ID: 2312  
For proper interpretation, see Explanation of Analysis for this map at our web site. Search for "USDA BOTL" to locate our map index.

Data Source: National Resource Inventory, 1982  
National Resource Inventory, 1992



# FPPA Regulations 7 CFR 658

## According to the FPPA Regulations:

Where a private party or non-Federal unit of the government applies for Federal assistance to convert farmland to a nonagricultural use, the Federal agency is to:

- Identify adverse impacts of program on farmland preservation.
- Consider alternatives to lessen, avoid or mitigate adverse impacts.
- Ensure compatibility with state, local and private programs.

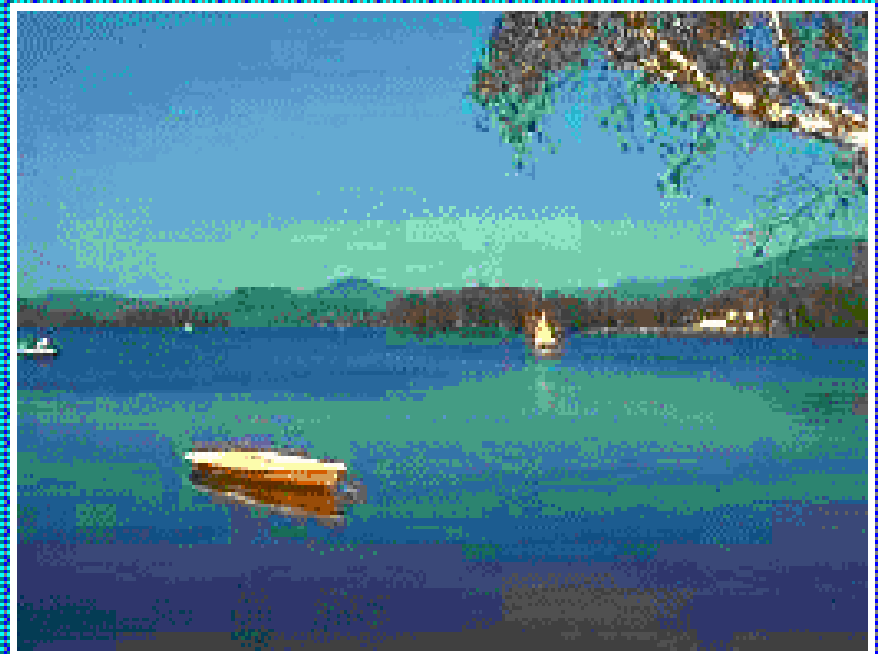
# Environmental Report

- **Areas of Important Farmland**
- **Areas to be Disturbed**
- **Areas of Adverse Impacts or Conversions**
- **Measures to Reduce Impacts**
- **AD-1006**
- **Local Agency Site Assessment**

*Farmland "committed to" urban development or water storage*

**Farmland "committed to" urban development or water storage is defined as:**

- **LESA score of 160 or less.**
- **NRCS 100 points maximum.**
- **Agency 160 points maximum.**



 **Close**

**An agency may either make its own farmland determination or request that NRCS make the determination.**

**The identification process includes two steps:**

**Step 1**

**Is important farmland (as defined in Lesson 1) present?**

**Agency determination:**

- Review maps, soil surveys.
- Clearly no Important Farmland -- Proceed.
- Farmland present -- NRCS

**NRCS assistance:**

- If Important Farmland may exist.
- Form AD-1006

## Step 2

**If important farmland is present, do either of the urban exemptions (defined in Lesson 4) apply?**

**1. Is the site already in urban development?**

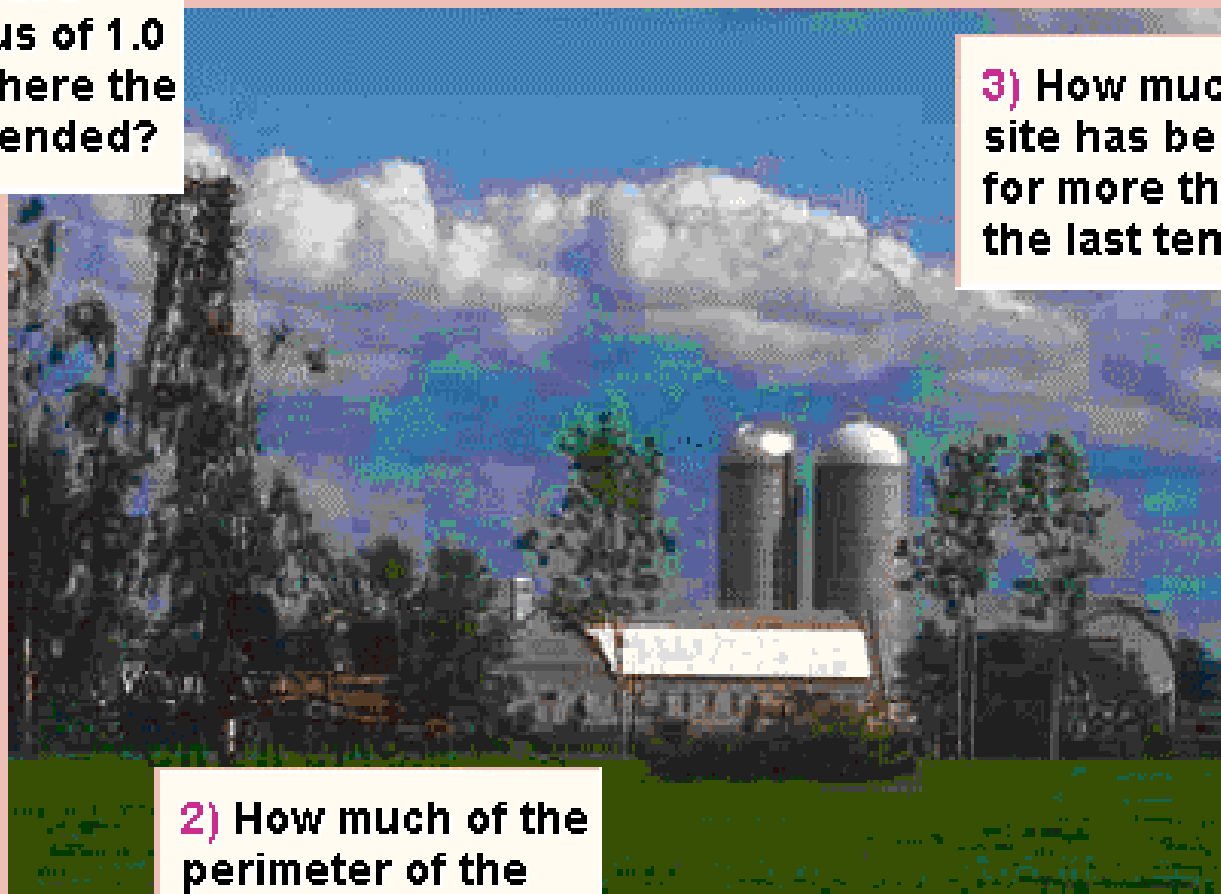
- **Ask NRCS**
- **Agency determination**



**2. Is the site committed to urban development?**

- **LESA 160 or less.**

**1) How much land is in nonurban use within a radius of 1.0 miles from where the project is intended?**



**3) How much of the site has been farmed for more than five of the last ten years?**

**2) How much of the perimeter of the site borders on land in nonurban use?**

**4) Is the site subject to State or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?**

**5) How close is the site to an urban built-up area?**

**6) How close is the site to waterlines, sewer lines, and/or other facilities and services whose capacities and design would promote nonagricultural use?**

**7) Is the farm unit containing the site as large as the average-size farming unit in the country?**

**8) If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?**







**9) Does the site have available adequate supply of farm support services and markets?**

**10) Does the site have substantial and well-maintained on-farm investments?**

**11) Would the project at this site reduce the demand for farm support services so as to jeopardize the continued existence of these support services, and thus, the viability of farms remaining in the area?**

**12) Is the kind of intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?**

# Corridor-type Site Assessment Criteria



All criteria for corridor-type sites will be scored as previously indicated except:

- ◆ Criteria 5 and 6 will not be considered.
- ◆ Criterion 8 will have a different scoring system.

## **Natural Resources Conservation Service (NRCS)**

**Makes maps and other soils information available.**

## **U.S. Forest Service**

**Provides aerial photographs, crop history data, and related information.**

## **Cooperative State Research, Education and Extension Service**

**Provides help in identifying and understanding issues and problems, resolving conflicts, developing alternatives, and implementing those decisions.**

# Limitations

**The Farmland Protection Policy Act does not authorize the Federal government to:**

- Regulate the use of private or non-Federal land, or in any way
- Affect the property rights of owners of non-Federal land

**None of the FPPA provisions apply to the acquisition or use of farmland for national defense purposes during a national emergency.**

# Mitigation

 **Avoidance**

 **Use Limitations - Residential**

 **Design - Excess Capacity**

# Water Quality

# Clean Water Act

## Environmental Report Requirements

- Identify any new point source discharges (**Applicant**)
- Locate all point source discharges subject to NPDES permitting requirements (**Applicant**)
- Identify all water quality standards and regulatory requirements related to all discharges (**State Regulatory Agency**)

# Clean Water Act

## Environmental Report Requirements

- Determine receiving stream classifications for water quality certifications (**State Reg Agency**)
- Identify all non-point source discharges that may be subject to state permitting requirements (**Applicant**)
- Identify all Best Management Practices to be implemented as part of facility construction or operations (**State Reg Agency**)



# Safe Drinking Water Act

## **Environmental Report Requirements**

- Determine whether the source of drinking water for project is surface or underground  
(**Applicant**)
- Determine water quality of source water - will dictate treatment facility requirements  
(**Applicant or State Geologic Survey**)

# Safe Drinking Water Act

- Environmental Report Requirements
  - Determine if project or service area of the project is located in or could effect a sole source aquifer area (**USEPA, State Natural Resource agencies**)
  - Determine wellhead protection area requirements (**State Natural Resource agencies**)

# **FLOODPLAINS**

## **AUTHORITY**

**E.O. 11988: Floodplain Management**

## **RUS**

**Actions should avoid floodplain impacts or support of  
floodplain development**

## **APPLICANT**

**Assist with floodplain identification**

**Identify alternatives and mitigation**

**Design facility to minimize flood damage**

# **SOURCES OF INFORMATION**

- **Federal Emergency Management Agency**  
Flood Hazard Boundary Maps should be used when available.
- **U.S. Army Corps of Engineers**
- **Natural Resources Conservation Service**
- **U.S. Geological Survey**

# **FLOODPLAIN INFORMATION**

- **Determine if proposed action will be located in a 100-year floodplain**
- **Identify and evaluate practicable alternatives to locating the facilities in the 100-year floodplain**
- **Identify and define the area to be affected by the proposed facilities**
- **If impacts can't be avoided, identify mitigation**

# **FLOODPLAIN INFORMATION CONT.**

- **Provide a list of facilities that were evaluated under the 500-year flood standard**
- **Plot all facilities on appropriate maps**
- **Provide information as to identification of floodplains and potential impacts for the legal notice**

# **WETLANDS**

## **AUTHORITY**

**E.O. 11990: Protection of Wetlands**

**Clean Water Act - Section 404**

# **RUS**

- **Consider alternatives to wetland locations**
- **Limit unavoidable impacts**

# **APPLICANT**

- **Assist RUS in identifying wetlands**
- **Identify alternatives to locating facilities in wetland area**
- **Develop mitigation**
- **Meet Section 404 permit conditions**



# **SOURCES OF INFORMATION**

- **U.S. Fish and Wildlife Service (National Wetlands Inventory Maps)**
- **U.S. Army Corps of Engineers**
- **Natural Conservation Resource Service**
- **State DNR**

# **WETLANDS INFORMATION**

- **Potential wetland locations**
- **Amount of wetlands physically affected by the proposed construction**
- **Amount and type of wetlands affected**

# **WETLANDS INFORMATION**

- **Alternatives if any to impacting the wetland**
- **Potential impacts to the wetlands**
- **Potential mitigation measures**
- **Provide information as to wetland identification and impacts for legal notice**

# **MITIGATION**

- **Minimize filling of wetlands**
- **Avoid soil compaction**
- **Minimize vegetation removal**
- **Minimize soil erosion**
- **Properly dispose hazardous materials**
- **Construct during dry periods**
- **Note Federal and state agencies have developed mitigation measures for to minimize wetland impacts.**

# **404 PERMITS**

# **EPA/COE MEMORANDUM OF AGREEMENT**

- **Limitation to Section 404**
- **Adherence with mitigation requirements**
- **No overall net loss**
- **Appropriate and practicable**
- **Three types of mitigation**

# **MITIGATION HIERARCHY**

- **Avoidance**

**Maximum extent practicable**

- **Minimization of Impact**

**Appropriate & Practicable**

- **Compensatory Mitigation**

**Appropriate & Practicable**

**On site preferred to off site**

**In kind preferred to out of kind**

**Restoration preferred to creation**

# **ENFORCEMENT**

- **Discharge fill material into waters of the U.S. without 404 Permit**
- **Failure to comply with conditions of a 404 Permit**



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# National Historic Preservation Act of 1966 16 U.S.C. 470

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# Implementing Regulations for Section 106 (36 CFR 800)

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- ◆ Identify & Evaluate Historic Properties
  - » Coordinate With SHPO
  - » May Need Consultant
- ◆ Determine Effect to Historic Properties
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- ◆ Develop Alternatives to Avoid or Mitigate Adverse Effects
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# Direct/Indirect Impacts

## (Criteria of Adverse Effect)

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- ◆ Physical Disturbance
- ◆ Loss of Site Integrity
- ◆ Visual Impacts
- ◆ Neglect of Property
- ◆ Transfer, Sale, Lease of Property

# Mitigation

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- ◆ Avoidance
- ◆ Excavation & Curation
- ◆ Preservation in Place
- ◆ Documentation Historic

# Problems Encountered

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- ◆ Delays Due to Failure to Identify & Evaluate Historic Property Prior to Starting Project
- ◆ Delays Due to Formal Documentation Process When Not necessary
- ◆ Added Expenses Due to Unnecessary or Excessive Surveys
- ◆ Added Expenses Due to Unreasonable Mitigation

# Where to Get More Information

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- ◆ SHPO - *<http://www.achp.gov/shpo>*
- ◆ National Register of Historic Places - *<http://www.nr.nps.gov>*
- ◆ THPO - *<http://www.achp.gov/thpo>*
- ◆ ACHP - *<http://www.achp.gov/mindex>*
- ◆ National Park Service - *<http://www.cr.nps.gov>*
- ◆ State Natural Resource Management Guide

# Endangered Species Act

As Amended by Public Law 97-304  
(The Endangered Species Act  
Amendments of 1982)

Joint Counterpart Endangered  
Species Act Section 7  
Consultation Regulations

**50 CFR Part 402**



# Informal Consultation

(Usually Completed at ER Level)



Contact FWS for Information on Federal T&E  
Species



Assess Impact of Project to Listed Species  
(Obtain services of biologist if necessary)



If no effect: Document in ER

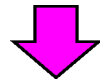


If may effect: Consult With RUS on How to  
Proceed

# Formal Consultation (SEC Responsibility)



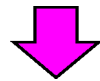
Initiate formal consultation in writing



Prepare biological assessment and submit to FWS



Accept biological opinion from FWS



Must follow the provisions of the biological opinion

# Direct/Indirect Impacts



- Loss of Threatened or Endangered Species
- Disturbance of Threatened or Endangered Species
- Disturbance of Rookeries or Nesting Sites
- Loss of Habitat
- Upset Balance of Ecosystem
- Introduction of Human Population Near Pristine Areas

# Mitigation



- Select Alternative Action
- Mark & Avoid Sensitive Areas
- Limit Construction Activities to Certain Times of Year
- Design & Construct Facilities to Minimize Harm
- Provide Buffer Areas

# Problems Encountered

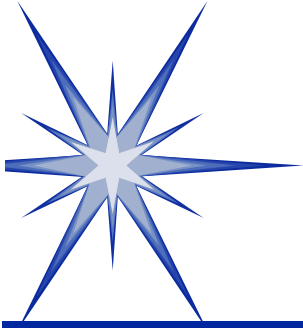


- T&E Species Encountered During Construction & Related Activities
- Delays due to Failure to Identify T&E Species
- Delays due to Non-Cooperation with FWS or State DNR
- Expense of Unnecessary or Excessive Surveys

# U.S. Fish and Wildlife Service World Wide Web Site

<http://www.fws.gov>

(click on endangered species)

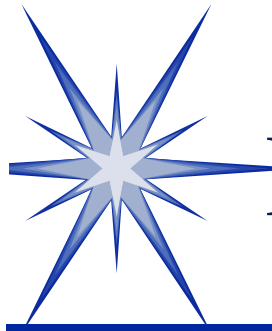


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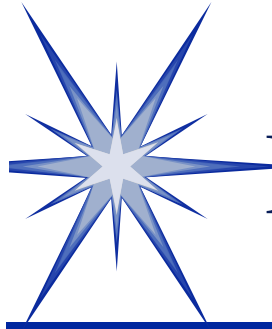


# Direct/Indirect Impacts

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- Effects to Pristine Areas
- Loss of Sensitive Habitat
- Pollution of Aquatic Resources
- Erosion
- Loss or Disruption of Sand Dunes

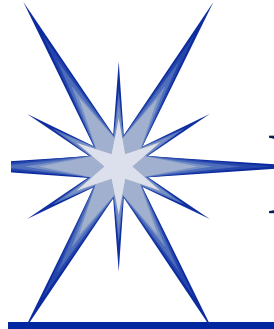




# Mitigation

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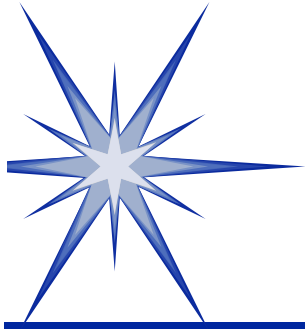
- Mitigation to be Developed in Cooperation with State Coastal Zone Officials



# Problems Encountered

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- Delays due to Failure to Identify CZM Areas



# Where to get more information

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- World Wide Web -  
*<http://wave.nos.noaa.gov/ocrm/czm/welcome.html>*
- Or Contact State Dept. of Natural Resources, Dept. of Environmental Protection, Dept. of Conservation
  - Ask Whom Administrators States Coastal Zone Management Program

# Coastal Barrier Resources Act

16 U.S.C. 3501 *et al*

Bob Quigel

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Rural Utilities Service

# Direct/Indirect Impacts

- Effects to Pristine Areas
- Loss of Sensitive Habitat
- Pollution of Aquatic Resources
- Erosion
- Loss or Disruption of Sand Dunes
- Encouragement of Development

# Mitigation

- Avoid CBRAs
- No Hookups to New Consumers
- Erosion Control
- Pollution Prevention

# Problems Encountered

- Failure to Identify CBRAs

## Where to get more information

- Contact State Fish & Wildlife Service Field Office
- Web Site Information Available at  
*<http://www.fws.gov/~cep/cbrunits.html>*
- Get Maps at \$4 Each From

US Geological Survey

ESIC-CBRS

P.O. Box 25286

Denver, CO 80225





## *Formally Classified Areas*

- National, State, & Local Monuments
- National, State, & Local Landmarks
- National & State Forests
- National, State, & Local Parks
- National, State, & Local Trails





## *Formally Classified Areas*

- Bureau of Land Management
- Wilderness Areas
- Wildlife Management Areas
- Military Reservations/Bases
- Indian Reservations
- Scenic Overlooks



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# Environmental Justice

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# NEPA Documents

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- ◆ Analyze Environmental, Human Health, Economic, and Social Effects
- ◆ Mitigate Significant & Adverse Effects
- ◆ Provide Opportunity for Community Input into NEPA Process
- ◆ Ensure Agency Preparing NEPA Documents Appropriately Address Environmental, Human Health, Social, & Economic Effects

# CEQ's Recommended Outreach For Public Input

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- ◆ Minority Business & Trade Groups
- ◆ Elected Officials
- ◆ Labor Unions
- ◆ News Media
- ◆ Tribal Officials
- ◆ Civic Organizations

# CEQ's Recommended Outreach For Public Input

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- ◆ Religious Groups
- ◆ Schools, Colleges, & Universities
- ◆ Rural Cooperatives
- ◆ Civil Rights Organizations
- ◆ Senior Citizen's Groups
- ◆ Neighbor Watch Groups

# **El Rancho Substation Project**

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**Location: El Rancho, New Mexico**

**Project Description:**

**69/12.47 kV Distribution Substation**

**1 Mile, 69 kV Transmission Line**

**Size: 0.7 acres (Indian Land)**

**Cost: \$600,000**

**Project Category: Categorical Exclusion (BER)**

# Environmental Process

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- ◆ **BER/CWP Approval** **6/88**
- ◆ **BIA Pueblo Easement** **11/90**
- ◆ **Start of Construction** **11/90**
- ◆ **Citizen Law Suit** **3/91**
- ◆ **Construction Halted** **3/91**
- ◆ **Court Ruling (Plaintiff)** **5/91**



# Environmental Process

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- ◆ **Draft EA** **7/92**
- ◆ **U.S. Attorney** **12/92**
- ◆ **Notice of Intent** **3/93**
- ◆ **Draft EIS** **3/96**
- ◆ **Final EIS** **11/96**
- ◆ **Record of Decision** **5/97**

# Environmental Process

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- ◆ Injunction Request 7/97
- ◆ Plaintiff Refile 9/97
- ◆ BIA Decision/Additional  
106 Compliance 10/97
- ◆ Agency/Public Meeting 2/98
- ◆ Project Completion ?/??

# Potential Consequences

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- ◆ **Delay Project Construction**
- ◆ **Drastically Increase Project Cost**
- ◆ **Give Cause for Litigation**

# El Rancho Substation

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Delay	2 Months	8 Years
Cost	a.) \$20,000 b.) \$600,000	\$200,000 \$1,000,000
Litigation	In Court/Project Under Stop Order	
Prosecution	Secretary of Interior, BIA Director	Secretary of USDA, RUS Administrator, RUS Southern Regional Director